



**State of Arizona**

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## **STATEMENT BY GOVERNOR JAN BREWER**

"Today, the Arizona Legislature has undertaken initial efforts to join in my defense of the citizens of the State of Arizona against one of the most intrusive and costly federal mandates in U.S. history.

"I am disappointed, but not surprised, that instead of defending the citizens of the State of Arizona, Arizona's Attorney General instead is only defending his political allies in Washington. I am also disappointed, but not surprised, that the Attorney General proposes to restore state health care spending but once again fails to identify or propose an \$11.6 billion revenue source for those programs.

"It is clear that the Attorney General has failed the citizens of Arizona by relying on liberal law professors from other states rather than doing his own legal analysis. The views of these so-called constitutional experts no longer square with the current U.S. Supreme Court decisions favoring States rights' and disfavoring Congress' insatiable appetite to overextend the reach of federal authority into the lives of American citizens. Conveniently, the Attorney General fails to note the numerous legal scholars who agree that Congress has, in fact, exceeded its constitutional authority and is rightfully subject to legal challenge.

"The truth is, fourteen of the Attorney General's colleagues in other states view the role of Congress and our U.S. Constitution much differently than our Attorney General. They are more in tune with the citizens of Arizona. Many others may soon join in this bipartisan effort. Arizona citizens understand that the federal government is one of limited powers with all other powers reserved to the states. As leaders, we must defend against unconstitutional encroachment upon our core right to govern ourselves rather than be at the mercy of an overreaching President and a Congress so eager to please him.

“This is not the first time the Attorney General has failed the citizens of Arizona in a legal proceeding involving the State. Last year he refused to join the legal arguments advanced by the Arizona Legislature and myself in the landmark decision by the U.S. Supreme Court in Flores v. Horne, involving Arizona’s bilingual education program. His position was ultimately rejected by the high Court. I’m certain the citizens of Arizona understand why I am so hesitant to rely upon legal advice from the Attorney General in matters like this involving the critical liberty interests of every citizen in Arizona.

“Rather than focus on the serious legal issues, the Attorney General tries to spin any lawsuit as an unnecessary cost to the State and redirect attention to budget matters unrelated to the legal issues. The citizens of Arizona should rest assured that any lawsuit brought to defend our rights will cost little to nothing compared to the enormous costs that this unconstitutional mandate will exact upon us not only in raw dollars, but by relinquishing our precious liberties guaranteed under the U.S. Constitution. We must push back when tread upon.

“I ask that Arizona legislators lay aside their partisan differences, and join me in supporting a legal challenge to the unconstitutional mandates contained in the federal health care legislation.”

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